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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Sosa, et al.

Serial No.: 10/729,446

Confirmation No.: 1024

Filed: December 5, 2003

For: Impact Modified Polystyrene and
Process for Preparing Same

§ Atty. Dkt. No.: COS-936

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§ Group Art Unit: 1711

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§ Cust. No.: 25264

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§ Examiner: Asinovsky

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Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Honorable Commissioner:

**CERTIFICATE OF MAILING
37 CFR 1.10**

I hereby certify that this correspondence is being deposited on the date below with the United States Postal Service as Express Mail, Mailing Label No. EQ 190573957 US, in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

4/29/06
Date

[Signature]
Signature

TRANSMITTAL LETTER AND FEE AUTHORIZATION

In connection with the above identified application, Applicants respectfully submit the following documents:

1. Reply Brief.

The Commissioner is authorized to charge the fee of \$500.00, along with any additional fees that may be required for this submission, or credit any overpayments, to Deposit Account No. 03-3345.

Respectfully submitted,

[Signature]

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Examiners' Answer at page 8. Appellants strongly disagree with the Examiner's assertion. Further, the Examiner cites no support in *Sosa '043* for her assertion.

Sosa '043 clearly teaches Transparent Impact Modified Polystyrene (TIPS). While *Sosa '043* distinguishes the differences between TIPS and HIPS in the background (“[T]he primary difference between a HIPS material and a TIPS material arises from the difference in the morphologies of the two materials’ rubber phases”), *Sosa '043* is directed to making TIPS materials using an elastomers reactor system that is unique to TIPS manufacture (*i.e.*, the composition of TIPS nor the process for making such is the same as HIPS.) *See*, at least column 4, lines 3 to 25. *Sosa '043* does not teach, show or suggest a HIPS material having a haze value of less than or equal to 12 percent, as recited in the pending claims. Accordingly, Appellants respectfully request reversal of the rejection.

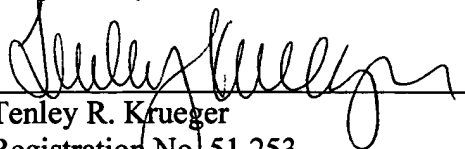
II. THE EXAMINER ERRED IN REJECTING CLAIMS 6-7, 9-17 AND 19-30 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER *SOSA '043* IN VIEW OF *BOWEN*.

As demonstrated above, *Sosa '043* teaches a Transparent Impact Polystyrene, not HIPS. *Bowen* does not provide the limitations missing in *Sosa '043* and therefore a detailed discussion is not deemed necessary. Accordingly, Appellants respectfully request reversal of the rejection.

Conclusion

In conclusion, the references of record, either alone or in combination, do not teach or suggest a high impact polystyrene having a haze value of less than or equal to 12 percent. Thus, Appellants respectfully request reversal of the rejections of claims 1-30.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tenley R. Krueger', is written over a horizontal line.

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